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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/618,211	07/11/2003	Jeffrey D. Provost	CISCO-7357	4216
49715	7590	11/28/2005	EXAMINER	
THELEN REID & PRIEST LLP			BROWN, MICHAEL J	
CISCO			ART UNIT	
P.O. BOX 640640			PAPER NUMBER	
SAN JOSE, CA 95164-0640			2116	

DATE MAILED: 11/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/618,211

Applicant(s)

PROVOST, JEFFREY D.

Examiner

Michael J. Brown

Art Unit

2116

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>1/29/04 & 4/12/04</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statements (IDS) submitted on 1/29/2005 and 4/12/2005 were filed. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Bell(US Patent 6,701,443).

As to claim 1, Bell discloses a physical layer(see column 4, lines 24-25) for an inline power device(Medium Dependent Interface(MDI), see column 4, lines 25-26) of a network power system(remote powerability system 20, see Fig. 1), the physical layer comprising an inline power control signal source(control circuitry 80, see Fig. 3), wherein the inline power control signal(response signal, see column 5, line 41) indicates when to apply power to a port when there is no power applied to the port and when to remove power from the port when there is power applied to the port(Items 42, 44, 46, and 48, see Fig. 4).

As to claim 2, Bell discloses a power source equipment of a network power system(remote powerability system 20, see Fig. 1), the power source equipment comprising at least one physical layer(see column 4, lines 24-25) comprising an inline power control signal source(control circuitry 80, see Fig. 3), wherein the inline power control signal(response signal, see column 5, line 41) indicates when to apply power to a port when there is no power applied to the port and when to remove power from the port when there is power applied to the port(Items 42, 44, 46, and 48, see Fig. 4).

As to claim 3, Bell discloses the power source equipment further comprising signal processing of the inline power control signal, wherein the signal processing is external to the at least one physical layer(see column 4, lines 39-47).

As to claim 4, Bell discloses a method of inline power(Medium Dependent Interface(MDI), see column 4, lines 25-26) for a network power system(remote powerability system 20, see Fig. 1), the method comprising sourcing an inline power control signal(control circuitry 80, see Fig. 3) from a physical layer(see column 4, lines 24-25), wherein the inline power control signal(response signal, see column 5, line 41) indicates when to apply power to a port when there is no power applied to the port and when to remove power from the port when there is power applied to the port(Items 42, 44, 46, and 48, see Fig. 4).

As to claim 5, Bell discloses an apparatus for inline power(Medium Dependent Interface(MDI), see column 4, lines 25-26) for a network power system(remote powerability system 20, see Fig. 1), the apparatus comprising a physical layer(see column 4, lines 24-25), and means for sourcing an inline power control signal(control

circuitry 80, see Fig. 3) from the physical layer, wherein the inline power control signal(response signal, see column 5, line 41) indicates when to apply power to a port when there is no power applied to the port and when to remove power from the port when there is power applied to the port(Items 42, 44, 46, and 48, see Fig. 4).

As to claim 6, Bell discloses a physical layer(see column 4, lines 24-25) for an inline power device(Medium Dependent Interface(MDI) of a network power system(remote powerability system 20, see Fig. 1), the physical layer comprising an inline power control signal source(control circuitry 80, see Fig. 3), wherein the inline power control signal(response signal, see column 5, line 41) determines when to apply power to a port when there is no power applied to the port and when to remove power from the port when there is power applied to the port(Items 42, 44, 46, and 48, see Fig. 4).

As to claim 7, Bell discloses a power source equipment(power apparatus 26, see Fig. 3) of a network power system(remote powerability system 20, see Fig. 1), the power source equipment comprising at least one physical layer(see column 4, lines 24-25) comprising an inline power control signal source(control circuitry 80, see Fig. 3), wherein the inline power control signal(response signal, see column 5, line 41) determines when to apply power to a port when there is no power applied to the port and when to remove power from the port when there is power applied to the port(Items 42, 44, 46, and 48, see Fig. 4).

As to claim 8, Bell discloses the power source equipment further comprising signal processing of the inline power control signal, wherein the signal processing is external to the at least one physical layer(see column 4, lines 39-47).

As to claim 9, Bell discloses a method of inline power(Medium Dependent Interface(MDI), see column 4, lines 25-26) for a network power system(remote powerability system 20, see Fig. 1), the method comprising sourcing an inline power control signal(control circuitry 80, see Fig. 3) from a physical layer(see column 4, lines 24-25), wherein the inline power control signal(response signal, see column 5, line 41) determines when to apply power to a port when there is no power applied to the port and when to remove power from the port when there is power applied to the port(Items 42, 44, 46, and 48, see Fig. 4).

As to claim 10, Bell discloses an apparatus for inline power(Medium Dependent Interface(MDI) for a network power system(remote powerability system 20, see Fig. 1), the apparatus comprising a physical layer(see column 4, lines 24-25), and means for sourcing an inline power control signal(control circuitry 80, see Fig. 3) from the physical layer, wherein the inline power control signal(response signal, see column 5, line 41) determines when to apply power to a port when there is no power applied to the port and when to remove power from the port when there is power applied to the port(Items 42, 44, 46, and 48, see Fig. 4).

As to claim 11, Bell discloses a network switch for a network power system(remote powerability system 20, see Fig. 1), the switch comprising at least one physical layer(see column 4, lines 24-25) comprising an inline power control signal

source(control circuitry 80, see Fig. 3), wherein the inline power control signal(response signal, see column 5, line 41) determines when to apply power to a port when there is no power applied to the port and when to remove power from the port when there is power applied to the port(Items 42, 44, 46, and 48, see Fig. 4).

As to claim 12, Bell discloses the switch further comprising signal processing of the inline power control signal, wherein the signal processing is external to the at least one physical layer(see column 4, lines 39-47).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Brown whose telephone number is (571)272-5932. The examiner can normally be reached on Monday-Friday from 7:00am to 3:30pm(EST).

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIRS) system. Status information for the published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications are available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 886-217-9197 (toll-free).

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